



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Office of the Commissioner of Patents and Trademarks

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

08/942,214 - 01/01/97 for JOHNSON the cover layer beneath the workpiece MNFRAME: 005A

As of 1/1/97

ATTORNEY: KNOBBE MARTENS OLSON & BEAR
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH CA 92660-8016

EM02/0915

EXAMINER

CONTINUED FROM

WRIGHT, N

ART UNIT

PAPER NUMBER

2785

DATE MAILED:

09/15/99

Status

Please find below and/or attached an Office communication concerning this application or proceeding.

Disposition of Claims

Please see attached:

- 1) PTD-326
- 2) Office Action
- 3) PTD-892

4) PTD-1449 (6 pgs.)

Commissioner of Patents and Trademarks

Is/are pending in the application

Is/are withdrawn from prosecution

Is/are allowed

Is/are refused

Is/are objected to

Is/are under consideration

Disposition of Claims

Is/are pending in the application

Is/are withdrawn from prosecution

Is/are allowed

Is/are refused

Is/are objected to

Disposition of Claims

Is/are pending in the application

Is/are withdrawn from prosecution

Is/are allowed

Is/are refused

Is/are objected to

Is/are under consideration

Is/are pending in the application

Is/are withdrawn from prosecution

Is/are allowed

Is/are refused

Is/are objected to

Is/are under consideration

Office Action Summary

Application No.

8942,214

Applicant(s)

Johnson M. J.

Examiner

N. Wright

Group Art Unit

2755

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/22/73
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-21 ~~is/are~~ pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-21 ~~is/are~~ rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 5, 10 & 12 ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☒ Other Office Action

Office Action Summary

Art Unit: 2785

Drawings

1. Drawings have been submitted which are acceptable for examination purposes only.

Specification

2. The use of the trademark I2C has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.
3. As to the co-pending applications which have been incorporated by reference, due to the volume of applications, applicant is hereby requested to indicate which applications are of particular importance to the instant application. Applicant cooperation is appreciated.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2785

4. Claims 1-7, 10-12, 14-18 and 20-21, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Barrett, U.S. Pat. No. 5,311,451, hereinafter '451.

As to claims 1-7, 10 and 20-21, Barrett '451 teaches the use of a reconfigurable controller and monitor comprising: a method of mapping resources to memory (abs., and col. 2, lines 35 et seq.), a micro controller network (fig. 1), a central computer (25), a information path way (23), sensors (19), buffering messages (col. 3, lines 20 et seq.), a client computer (col. 1, lines 63 et seq., col. 2, lines 10 et seq.), a variable speed fan (col. 6, lines 19 et seq.), a temperature sensor 19, a display (27), checking voltage (col. 13, lines 15 et seq), and executing commands(col. 1, lines 48 et seq., and col. 3, lines 23 et seq.). Stated another way '451 teaches sending a request for parameter information, obtaining status from micro-controllers and sensors, and processing the response to effective a desired environmental condition.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2785

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 20-21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Travallaei et al. U.S. Pat. No. 5,964,683 hereinafter '653, in view of Lakin U.S. Pat. No. 5,803,357, hereinafter '357.

As to claims 1-2 and 20-21, Travallaei '653 teaches a system and method of mapping environmental resources to memory comprising: a computer, a micro-controller, a network, executing commands, see figures 2-4 and 7. Not explicitly taught is the connection to a plurality of sensors.

Lakin '357 teaches the use of a plurality of sensors being controlled by a microprocessor (Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the network system of '653 to have a plurality of environmental sensors. Because, '357 teaches that the use of environmental control systems typically consist of such devices (col. 1). One of ordinary skill in the art would have had a desire to perform such a modification as a means of ensuring the availability, reliability, and operability of a computer system. The effects of the environmental

Art Unit: 2785

conditions, such as heat and humidity, are known to cause computer systems and components to fail prematurely. One of ordinary skill would have thus sought to eliminate these deleterious effects by monitoring the conditions of environments.

6. Claims 8-9, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett, U.S. Pat. No. 5,311,451, hereinafter '451.

As to claims 8, not explicitly taught by '451 is checking the state of the bus. Applicant admitted prior art teaches the use of checking the state of the bus (pg. 12, lines 11 et seq.) It would have been obvious to one of ordinary skill in the art at the time of the invention, to augment the invention of '451 with a means of monitoring the state of the bus, by utilizing the well known concepts of bus monitoring, as recited by applicant. One of ordinary skill in the art would have readily realized that the functions of monitoring the bus, to ensure proper operation and to avoid bus contention problems are necessary functions in a data processing system. Moreover, one of ordinary skill would have been motivated to perform this modification, because, such is the convention in the art as evidenced by the applicant's recited prior art.

Art Unit: 2785

As to claim 9, '451 does not explicitly teach detecting the presence of a canister. As understood from applicant's specification the controller are off-the-self items (pg. 13), which may be programmed to perform various functions including checking for units/enablenents. The Examiner takes official notice of the detecting for the presence of a canister. It would have been obvious to one of ordinary skill in the art at the time of the invention, to augment the invention of '451 by programming a micro-controller to check for the presence of a canister. It would have been obvious to one of ordinary skill to perform this modification because, micro-controllers frequently are utilized to detection or monitor the operations of computing elements in a system. One of ordinary skill would have readily realized that the monitoring and detection of canister or I/O adapters would change the configuration of the system and require a new system mapping to reflect the changes.

As to claim 11, '451 teaches using air temperature as a parameter for adjusting the environmental controls (col. 5, lines 50 et seq.); more specifically, adjusting the speed of a motor in an air flow system (col. 6, lines 19 et seq.).

As to claim 12, '451 teaches checking for a power supply (col. 13, lines 15 et seq.).

Art Unit: 2785

As to claims 14-18, '451 teaches sending a message to a log (Rams, 314, 520), notification of a fault (col. 18, lines 4 et seq.), enabling and disabling canisters (col 14, lines 14 et seq.), and a timer (col. 14, lines 12 et seq.).

As to claims 13 and 19, the examiner takes official notice of both the motives and reason for modifying the invention of '451, to accept a BIOS update in a flash memory, and being implemented on an I2C bus. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of '451 with an I2C bus and updated BIOS means because, such is the convention in the art. A skilled artisan would have readily realized that the invention of '451 may be augmented with a myriad of types of standard buses, as well as, a memory means for storing an updated BIOS. One of skill would have been motivated to perform such modification because, any of the industry buses and memory means (storing Bios) may be implemented in a network of micro-controllers; and further because, it is a matter of user's preference, performance requirements, and cost requirements that dictate the type of devices and subsystems employed in a micro-controller network system. The environmental control system employs and monitors a system of micro-controllers to provide for flexibility in setting

Art Unit: 2785

and managing a system's configuration. Here, the use the I2C and memory storage means are sub-system's elements which would aid in the reliability, availability, and maintainability of the system.

Response to Amendment

The Examiner acknowledges that the office action mailed 4/9/99, did not address the properly filed preliminary amendment, amending claim 1 and adding new claims 3-21, due to the fact that the papers was not matched up with the application. Accordingly, this action is made non-final and the response period is reset to begin from the date of the mailing of this action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

Art Unit: 2785

(703)305-9724 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Examiner Norman Wright whose telephone number is
(703) 305-9586. The examiner can normally be reached on Monday to Thursdays from
8:00 AM to 5:30 PM, and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Mr. Robert W. Beausoliel, Jr., can be reached on (703) 305-9713. The fax
phone number for this Group is (703) 305-9742.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Group receptionist whose telephone number is (703)
305-3900.

Norman Wright/ayc
Patent Examiner
Art Unit 2785


Pat. Examiner